

Application No.: 09/308,461

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Docket No.: 449122036900

REMARKS

Claims 8 and 10 were rejected under 35 USC 112, second paragraph, as being indefinite, specifically, for failing to provide sufficient antecedent basis. Claims 8 and 10 have been amended to provide antecedent basis and no new matter has been added. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

Claims 8-10 were rejected under 35 USC 102(e) as being anticipated by Czerwiec. This rejection is respectfully traversed.

Czerwiec is not prior art. Czerwiec has a filing date of July 10, 1997, which is after applicant's priority date of November 29, 1996. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

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In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 44912-2036900.

Dated: October 18, 2004

Respectfully submitted,

By 

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